

To: "Debbie Mans" [debbie@nynjbaykeeper.org]
Cc: Ana BAPTISTA [abaptista@ironboundcc.org]; arol Johnston [cjohnston@ironboundcc.org]; Douglas Sarno" [doug@forumfg.com]
Bcc: []
From: CN=Dave Kluesner/OU=R2/O=USEPA/C=US
Sent: Thur 12/27/2012 11:23:54 PM
Subject: Re: Fw: URGENT: Ref. by Jeff Tittel - Newark Filmmakers' Complaint of Noxious Odors from EPA Cleanup
Kluesner.Dave@epamail.epa.gov
(212) 637-5000
bonpix@verizon.net
jeff.tittel@sierraclub.org
<http://passaicremovalaction.com/documents/air/PassaicAirMonitoringLocations.pdf>
<http://passaicremovalaction.com/documents/air/PassaicAirMonitoringLocations.pdf>
<http://passaicremovalaction.com/community.htm>
<http://www.ourpassaic.org/CAG.aspx>
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Ray Basso is reaching out to NJDEP. Will report back.

David Kluesner - Public Affairs
U.S. EPA - Manhattan Office
290 Broadway, 26th Floor / NY, NY 10007
212.637.3653
<http://www.epa.gov/region2>
<http://blog.epa.gov/greeningtheapple/>

-----Debbie Mans <debbie@nynjbaykeeper.org> wrote: -----

To: Dave Kluesner/R2/USEPA/US@EPA
From: Debbie Mans <debbie@nynjbaykeeper.org>
Date: 12/27/2012 03:06PM
Cc: Douglas Sarno <doug@forumfg.com>, Carol Johnston <cjohnston@ironboundcc.org>, Ana BAPTISTA <abaptista@ironboundcc.org>

Subject: Re: Fw: URGENT: Ref. by Jeff Tittel - Newark Filmmakers' Complaint of Noxious Odors from EPA Cleanup

Thanks - does it look like NJDEP will be meeting with them or EPA before our January meeting?

On Wed, Dec 26, 2012 at 12:10 PM, <Kluesner.Dave@epamail.epa.gov> wrote:

-----Forwarded by Dave Kluesner/R2/USEPA/US on 12/26/2012 12:09PM -----

To: Dave Kluesner/R2/USEPA/US@EPA

From: Lisa Plevin/R2/USEPA/US

Date: 12/26/2012 10:25AM

Subject: Fw: URGENT: Ref. by Jeff Tittel - Newark Filmmakers' Complaint of Noxious Odors from EPA Cleanup

fyi

Lisa J. Plevin
Chief of Staff
US EPA Region 2
(212) 637-5000

----- Forwarded by Lisa Plevin/R2/USEPA/US on 12/26/2012 10:25 AM -----

From: Lisa Plevin/R2/USEPA/US

To: Bongiorno Productions <bonpix@verizon.net>

Cc: Jeff Tittel <jeff.tittel@sierraclub.org>, Walter Mugdan/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA

Date: 12/26/2012 10:25 AM

Subject: Re: URGENT: Ref. by Jeff Tittel - Newark Filmmakers' Complaint of Noxious Odors from EPA Cleanup

Dear Marylou & Jerome Bongiorno,

I am replying to your December 10, 2012 email below, in which you reiterate your concerns over potential health impacts that you believe were caused by air emissions/odors during dredging of contaminated sediment from the Passaic River adjacent to the Diamond Alkali Superfund site in Newark, NJ.

On September 16, 2012 David Kluesner, with EPA's Public Affairs Division, replied to your August 30 email to Michael Hoppe (EPA) and Ed Choromanski (NJ DEP). In that reply David noted that he, Michael Hoppe, and Elizabeth Butler (EPA project manager) provided you, during previous phone calls and email exchanges, with information on where to view a map of the air monitoring stations and air monitoring data that was collected during the Passaic River sediment removal and processing operations.

- The locations of the air monitoring stations are available at <http://passaicremovalaction.com/documents/air/PassaicAirMonitoringLocations.pdf>
- Air monitoring data from March through mid June 2012, and other environmental data collected, are available at <http://passaicremovalaction.com/documents/air/PassaicAirMonitoringLocations.pdf>.

Air monitoring along the site perimeter and in residential areas nearest to the site showed no air emissions of concern during the sediment removal and processing operations. As you know, that operation was completed during the second week of June 2012. Work activities were conducted under

the oversight of the EPA in cooperation with the U.S. Army Corps of Engineers. A community health and safety plan was developed and in place for the removal project to ensure protection of the community during cleanup. That plan can be viewed at <http://passaicremovalaction.com/community.htm>. A trilingual community hotline for the project, which was widely advertised by both the EPA and the Passaic River Community Advisory Group (CAG), was in operation. No complaints of odors or air emissions were received at the hotline during cleanup.

The EPA has attempted to convene a meeting on several occasions with the New Jersey Department of Environmental Protection (NJDEP)'s air programs division. The EPA requested this meeting to understand the involvement of the NJDEP in the matter, whether they took air samples during their inspections of the site and whether the NJDEP believes that there were air emissions or odor problems associated with the dredging and processing of Passaic River sediment. Unfortunately the NJDEP's air program has not been able to meet with the EPA on this matter.

Your concerns have been brought to the attention of the Passaic River CAG. The CAG has been in close contact with residents living closest to the site. Neither the CAG nor local residents are aware of any odors or air emissions or any reports of odors or emissions associated with this project. Having said that, we want to adequately address your concerns and we will continue to attempt to meet with the NJDEP on this matter. The CAG leadership, although satisfied that the air data showed there were no threats to human health, has expressed an interest in discussing this matter further at a future CAG meeting at such a point when the NJDEP air program has met with the EPA and is available to attend one of their monthly meetings.

The next Passaic River CAG meeting will be held in early to mid-January in the Lyndhurst, NJ area. Since you are on the EPA's Passaic River group email list you will receive our announcement on the meeting agenda and location in the coming weeks. For more information about the CAG visit <http://www.ourpassaic.org/CAG.aspx>.

Lisa J. Plevin
Chief of Staff
US EPA Region 2
(212) 637-5000

Bongiorno Productions ---12/17/2012 03:30:50 PM---Dear Mr. Mugdan and Ms. Plevin- Not sure if you rec'd prior URGENT email copied below?

From: Bongiorno Productions <bonpix@verizon.net>
To: Walter Mugdan/R2/USEPA/US@EPA, Lisa Plevin/R2/USEPA/US@EPA
Cc: Jeff Tittel <jeff.tittel@sierraclub.org>
Date: 12/17/2012 03:30 PM
Subject: Re: URGENT: Ref. by Jeff Tittel - Newark Filmmakers' Complaint of Noxious Odors from EPA Cleanup

Dear Mr. Mugdan and Ms. Plevin-

Not sure if you rec'd prior URGENT email copied below?

Please confirm and advise.

Begin forwarded message:

From: Bongiorno Productions <bonpix@verizon.net>
Date: December 10, 2012 1:56:31 PM EST
To: Walter Mugdan <mugdan.walter@epa.gov>, Lisa Plevin <plevin.lisa@epa.gov>
Cc: Jeff Tittel <jeff.tittel@SierraClub.org>
Subject: URGENT: Ref. by Jeff Tittel - Newark Filmmakers' Complaint of Noxious Odors from EPA Cleanup

Dear Mr. Walter Mugdan and Ms. Lisa Plevin-

Jeff Tittel, cc-ed, recommended we alert you to the nonresponse from EPA and NJ DEP officials to our longstanding and prolonged complaints involving noxious odors emitted during the EPA's cleanup of the Passaic River (please see email below).

Full Disclosure: we're filmmakers investigating this urgent matter.

We need confirmation that no further air emissions will be released from these dangerous site Cleanups.

Please confirm receipt and advise asap.

Thank you for your assistance,
-Marylou & Jerome Bongiorno

Marylou & Jerome Bongiorno
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From: Bongiorno Productions <bonpix@verizon.net>
Date: August 30, 2012 5:17:03 PM EDT
To: Michael Hoppe <hoppe.michael@epa.gov>, Ed Choromanski <Ed.Choromanski@dep.state.nj.us>
Cc: Elizabeth Butler <butler.elizabeth@epa.gov>, Dave Kluesner <kluesner.dave@epa.gov>, Vanessa Day <vanessa.day@DEP.state.NJ.US>, Jeff Meyer <Jeffrey.Meyer@dep.state.nj.us>, Mark Burghoffer <Mark.Burghoffer@dep.state.nj.us>
Subject: URGENT: Air Pollution in Newark Update

Dear Mr. Michael Hoppe, Director Ed Choromanski, and All-

As Newark filmmakers who reported and researched the noxious odors at our home from April 19 - July 11, 2012, we urge you to cease all operations dealing with the cleanup of toxic chemicals related to the Passaic River because of the irresponsible and unsafe nature of your methods.

To update you since our last contact and per our ongoing research with experts:

Since 7.11.12, we have not detected the aforementioned chronic chemical plastic odor that we reported to the DEP since April and confirmed with EPA and DEP representatives and meteorological data.

Since this coincides with the end of the EPA's dredging and dewatering of contaminated sludge from the Passaic River adjacent to the Diamond Alkali Superfund site (the "Cleanup"), and per our conversations with the EPA and DEP, it's apparent that the EPA's Cleanup caused our odor problem and that the principle chemical we were smelling is chorobenzene, a carcinogen.

Exposure to aforementioned and other highly toxic chemicals, made airborne during the Cleanup, caused us a great deal of stress, threaten our health, and significantly decreased our quality of life by severely and seriously "interfer[ing] with the enjoyment of life or property" which is our right, per NJ law.

We also expended countless hours of work in tracking the odor to its source due to the DEP's irresponsible withholding of information about the probable source and lack of access to its inspectors.

We need the following addressed immediately:

1. Per Mr. Hoppe's recommendation: EPA Health Risk Assessment Team to meet with us to review the hazards of our past exposure including whether produce from home gardens is safe for consumption.
2. A detailed plan to completely trap all emissions before any future Cleanup - including the Lyndhurst site and any Newark-based dewatering - can be considered.
3. Plan to police all Newark air, 24/7. According to your own representatives, serious air violations are not being reported, monitored, or corrected.

Please confirm receipt and advise.

Thanks for your assistance,
-Marylou & Jerome Bongiorno

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Debbie Mans, Executive Director & Baykeeper
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